

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,)	
)	No. CR-12-081-RMP
Plaintiff,)	
)	ORDER DENYING DEFENDANT'S
v.)	MOTION FOR RECONSIDERATION
)	OF DETENTION
ALICIA MARIE FAVRO,)	
)	<input checked="" type="checkbox"/> MOTION DENIED
Defendant.)	(ECF No. 40)

Date of bail review hearing: **October 2, 2012.**

The United States does not oppose release of Defendant while the Order suppressing evidence is appealed, but the parties have not suggested a sufficiently structured release plan to permit supervision of Defendant. Defendant allegedly suffers from bipolar disorder, but states she has not been receiving this medication. The U.S. Marshal reports addressing Defendant's medical needs, including her dental needs.

The charges against Defendant are serious. She has a lengthy and significant criminal history, including 14 failures to appear, and three assaults, including first-degree assault, which originally was charged with first-degree aggravated murder (liability for another's conduct).

The alleged circumstances surrounding Defendant's arrest are concerning (Defendant traveling with an alleged Norteno gang member in which the latter individual allegedly was shot in the stomach). As discussed at the hearing, this is a case in which it is proper

1 for the court on its own motion to review the record and risks
2 involved if release occurs, regardless of whether the request for
3 release is unopposed. 18 U.S.C. Sec. 3142(f)(2).

4 There is insufficient information presented to reasonably
5 assure Defendant's future appearance. There are no conditions or
6 combination of conditions other than detention that will ensure the
7 safety of the community.

8 **IT IS ORDERED** Defendant's Motion for release from custody (ECF
9 No. 40) is **DENIED**. Defendant shall remain in the custody of the
10 U.S. Marshal pending further order of the court.

11 If Defendant seeks review of this Order pursuant to 18 U.S.C.
12 § 3145(b), attorney for Defendant shall file a written motion for
13 revocation or amendment of this Order within ten (10) days, directed
14 to the district judge to whom this case is assigned and note the
15 motion for hearing before that judge. Both parties are responsible
16 to ensure the Motion is determined promptly.

17 DATED October 3, 2012.

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19 S/ CYNTHIA IMBROGNO
20 UNITED STATES MAGISTRATE JUDGE
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